

SERVICE DATE – APRIL 7, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-384 (Sub-No. 1X)

DELTA SOUTHERN RAILROAD, INC.—ABANDONMENT EXEMPTION—BETWEEN
LAKE VILLAGE, AR, AND SHELburn, LA

Decided: April 6, 2006

Delta Southern Railroad, Inc. (DSR), filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 30.0-mile portion of its Lake Providence Line, between milepost 433.0, near Lake Village, AR, and milepost 463.0, near Shelburn, LA. Notice of the exemption was served and published in the Federal Register on June 10, 2004 (69 FR 32657-58).¹ Before the exemption became effective, an offer of financial assistance (OFA) under 49 U.S.C. 10904 and 49 CFR 1152.27(c) was filed. The Board was requested to set terms and conditions for an OFA sale, but after the Board set those terms, the offerors declined to accept the terms, and instead chose to pursue acquisition of the line outside the OFA process. The OFA process was thus terminated to permit abandonment authorization for the subject line to become effective. The exemption became effective on April 7, 2005.

Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings. On March 29, 2006, DSR filed a request to extend the deadline for filing its notice of consummation until October 7, 2006, for an 8.2-mile portion of the right-of-way between milepost 454.8, at the Arkansas-Louisiana state line, and milepost 463.0, at or near Shelburn, LA. DSR states that the portion of rail line between mileposts 433.0 and 454.8 has been sold for continued rail service, and that it is continuing to attempt to sell the remaining portion of the line as well. According to DSR, the extension request is necessary to permit it to do so. DSR has shown good cause to extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. The extension request will therefore be granted.

This decision will not significantly affect either the quality of the human environment or conservation of energy resources.

¹ The exemption was subject to employee protective conditions. In addition, an environmental and a historic preservation condition were imposed in a decision served on October 7, 2004.

It is ordered:

1. DSR's request for an extension of time to consummate the abandonment is granted.
2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before October 7, 2006.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary